

Somali teen faces life sentence on piracy charges

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A federal judge in New York Tuesday ruled that Abduwali Abdukhadir Muse, a Somali youth charged with piracy in the abortive attempt to hijack the US flag ship Maersk Alabama, can be tried as an adult. The ruling rejected claims by both the youth and his family that he is no more than 16 years old. If convicted as an adult, Muse faces a mandatory sentence of life in prison.

The Somali youth is accused of boarding the Maersk Alabama with three other armed men on April 8 in an attempt to seize the ship and hold it for ransom. The attempt failed, however, when the crew resisted, stabbing Muse in his hand. The four Somalis left the vessel in a lifeboat together with the ship's captain.

Muse left the lifeboat for the US Navy destroyer, the Bainbridge, both to get medical treatment and to negotiate the release of the American captain in return for the Somalis' safe passage back to land. The standoff came to a bloody end, however, when Navy Seal snipers shot Muse's three associates to death.

Muse was brought to New York Monday to face trial, nine days after the killing of the other Somalis. He was led through the rain, surrounded by at least a dozen federal agents and in chains. Muse had never before seen cameras or so much light.

Court-appointed defense attorneys said that the youth, the son of a nomadic goat herder, had been held for the last eight days in shackles and blindfolded, much the same treatment meted out to "enemy combatants" taken to Guantánamo, Bagram or CIA "black sites" over the past several years.

Both of Muse's parents appealed for the US government to grant him leniency, describing him as a young person who had been pulled into piracy by older gang members.

"My son was influenced by other gangs. He only got into piracy 15 days before he was captured. He is very young and didn't know what he was doing is a crime," said his mother Adar Abdirahman Hassan. "I am appealing the United States and President Obama to release my son," she added, insisting that Muse is only 16.

Muse's father in Somalia was questioned over the telephone during Tuesday's court hearing, testifying that his son was born in November 1993, making him 15 years old.

Prosecutors then presented a New York City police detective, Frederick Galloway, who testified that Muse had told him he was 16 before saying, "I'm sorry for lying to you," and acknowledging he was "between 18 and 19." How this interview took place—Muse speaks no English and it is highly unlikely that Detective Galloway speaks Somali—or what kind of interrogation the Somali youth was subjected to before giving the desired answer that he was old enough to be tried as an adult is not known.

According to the *New York Times*, Muse's father, Abdukhadir Muse Ghedi, said Tuesday, "I want everyone to understand that my boy was tricked by these bandits. If they do an investigation, they will see he was tricked into making this decision by someone who was older than him."

The father continued, in a tone that the *Times* described as "bitter", stating, "We don't have a government and somebody who is stronger than us took my boy." He also voiced his anger over the way in which the hostage drama earlier this month was ended by sniper fire. "To save that one American they killed three Somalis," he said. "Well, the American life seems to be more valuable than the Somalis'."

Federal Judge Andrew Peck, having heard the

father's testimony ruled it not credible, while giving full credibility to the claims of the New York detective. He ordered that Muse be tried as an adult, thereby depriving him of substantial protections under US and international law. There is little Muse can do to overturn this ruling, given that in Somalia, in a state of civil war and disintegration for more than a quarter of a century, there are no birth records to prove his real age.

In a statement issued Tuesday, the head of the FBI in New York, Joseph Demarest Jr., said "Modern-day pirates bear little resemblance to the swashbuckling anti-heroes of popular fiction."

Indeed, Muse, 5-foot-2 and gaunt in his prison-issue jumpsuit, looked little like a swashbuckler. Asked his impression of his Somali client, court-appointed attorney Phil Weiss responded, "a young scared kid in pain."

Omar Jamal, the director of the Somali Justice Advocacy Center in Minnesota, who has volunteered to assist in Muse's legal defense, said, "We have a real concern that given the media coverage since the beginning, the jury might already be prejudiced. What we have is a confused teenager, overnight thrown into the highest level of the criminal justice system in the United States out of a country where there's no law at all."

US prosecutors allege that Muse "conducted himself as the leader of the pirates." However, the three Somalis who were executed by sniper fire were older than the youth, one of them 34. In Somalia, a hierarchical and traditional society, for a teenager to be the leader of older men is virtually excluded.

The clear intent of the government is to use the prosecution of Muse as a show trial, aimed at demonstrating the power of the United States against anyone who would challenge it, including the rag-tag bands of pirates operating off the Somali coast. Therefore, the diminutive, frightened teenager is to be turned into a criminal mastermind.

The US government, like Britain and the European Union, has an agreement with the government of Kenya to deliver captured pirates there for trial. The decision to bring Muse into a US federal court instead was politically motivated, like the sniper killings of his three associates. It is designed to prove the toughness of the Obama administration against foreign enemies, no matter how insignificant.

Ignored in the attempt to demonize one Somali teenager are the catastrophic conditions prevailing in Somalia itself, where desperate poverty and decades of civil war have placed millions of lives in jeopardy and created the conditions out of which piracy has arisen.

The US government, which is putting Muse on trial, itself bears much of the guilt for creating these conditions through its exploitation of the country as a client state during the Cold War and its subsequent abandonment of Somalia in the wake of the Soviet Union's collapse.

What followed were repeated military interventions, from the deployment of 30,000 US troops there in 1992 to the more recent US-backed Ethiopian invasion of the country. The invasion was organized, with the direct participation of US special operations units, to overthrow the government formed by the Islamic Courts movement and replace it with a group of CIA-backed warlords, several of whom are among the chief financial beneficiaries of Somali piracy.

Somali President Sharif Sheikh Ahmed issued a warning Wednesday against a new US military intervention under the pretext of combating piracy.

Speaking in Cairo, Ahmed, the former leader of the Islamic Courts, who was elected president earlier this year, said, "We advise against resorting to [US military strikes] and rather to focus on finding a comprehensive solution" aimed at strengthening Somalia's "security and stability."

He pointed out that during the brief rule of the Islamic Courts government in 2006, before its overthrow by the US-backed invasion, piracy had been "finished off."



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